

In the High Court at Calcutta
Circuit Bench at Jalpaiguri
Constitutional Writ Jurisdiction
Appellate Side
WPA 238 of 2023
Bibhuti Bhusan Ray
-versus-
State of West Bengal & Ors.

Mr. Hirak Barman, Adv.
Ms. Bedasruti Bose, Adv.
...for State.

Affidavit of service filed by the
petitioner is kept with record.

The petitioner was retired from service
on 31st January, 2016. In the meantime
ROPA Rule was implemented with effect
from 1st January, 2019 and the PPO was
issued on 2nd February, 2016. Subsequently,
on 15.12.2021 the PPO was revised and
actual payment was made on 16.12.2021.
The petitioner prayed for interest on gratuity
with effect from 31st January, 2016 till
16.12.2021 as well as an arrears of pension
from 31.12.2016 till 16.12.2021.

Considered the submission made by
the learned Counsel for the petitioner, this
Court finds that there is a delay of about five

years in releasing gratuity and pension of the petitioner. The petitioner is entitled to get interest at the rate of 10 per cent on gratuity amount with effect from 31st January, 2016 till 16.12.2021 as well as on arrears of pension with effect from 31st January, 2016 till 16.1.2021. The respondent nos. 2 and 3 are directed to release the interest on gratuity as well as on arrears of pension to the petitioner within four weeks from the date of receipt of copy of the order.

WPA No. 238/2023 is thus disposed of.

(Krishna Rao, J.)